

Notice of Allowability

Application No.

10/804,068

Examiner

Mohammed Hasan

Applicant(s)

NISHINA, KICHIRO

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/10/2005.
2. ☒ The allowed claim(s) is/are 10 - 18, 28 - 33, 37 - 39.
3. ☒ The drawings filed on 3/19/2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

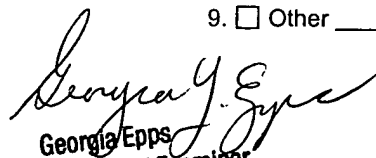
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/18/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Georgia Epps
Supervisory Patent Examiner
Technology Center 2800

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Surinder Sachar on February 2, 2005.

Attorney agreed to cancel the claims 1-9, 19 – 27, 34, 35, 36 and 40.

2. Applicant's election of group II, claims 10 – 18, 28 – 33, and 37 – 39 in the reply filed on 1/10/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Priority

3. Receipt of acknowledged of papers submitted under 35 U.S.C. 119 (a) – (d), which papers have placed of record in the file .

Oath/Declaration

4. Oath and declaration filed on 3/19/2004 is accepted.

Information Disclosure Statement

5. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 6/18/2004 have all been considered and made of record (note the attached copy of form PTO – 1449) (Note: the examiner has considered list of related cases and cited on PTO - 1449).

Allowable Subject Matter

6. Claims 10 – 18, 28 – 33, and 37 – 39 are allowed.
7. The following is an examiner's statement of reasons for allowance: The prior art taken either singularly or in a combination fails to anticipate or fairly suggest the limitations of the independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in independent claims 10, 16, 18, 28, 30, 32, and 37 – 39 for example which include a zoom lens having first, second, third and fourth lens group having (+, -, +, +) refractive power and the third group optical system include a triplet

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lens formed by sequentially bonding a negative lens, a positive lens and a negative lens.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The closest prior art

Ohashi (6,353,506 B1) discloses a camera includes a zoom lens having a first lens group having a positive focal length, a second lens group having a negative focal length, an opening iris, a third lens group having a positive focal length and a fourth lens group having a positive focal length.

Shimo (6,304,388 B1) discloses a zoom lens system for focusing a finite distance object on an image plane as an image, has in order from one conjugate side, a first lens unit having a positive optical power, the first lens unit being stationary during a zooming operation, a stop stationary during a zooming operation, a second lens unit having a negative optical power, a third lens unit having a positive optical power and a fourth lens unit having a positive optical power.

Horiuchi (5,225,937) discloses a zoom lens comprising from front to rear, a first lens unit of positive power, a second lens unit of negative power, a third lens unit negative power and a fourth lens unit of positive power.

Angenieux (4,270,848) discloses an image enlarging optical variator.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammed Hasan whose telephone number is (571) 272-2331. The examiner can normally be reached on M-TH, 7:00 AM to 5:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272- 2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MH
February 2, 2005

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